United Nations S/2006/832

Security Council

Distr.: General
19 October 2006

Original: English

Fourth semi-annual report of the Secretary-General to the Security Council on the implementation of Security Council resolution 1559 (2004)

I. Introduction

1. The present report is my fourth semi-annual report to the Security Council on the implementation of resolution 1559 (2004).

2. In the six months since my last report, of 19 April 2006 (S/2006/248), Lebanon witnessed first political standstill, then severe deterioration and prolonged instability.

3. Lebanon's National Dialogue reconvened on 28 April and 16 May 2006 to discuss the two remaining issues on its agenda, the Lebanese presidency and the arms of Hizbollah, amidst an increasingly tense political climate both domestically and with regard to Lebanese-Syrian relations.

4. On 1 and 2 June 2006 protests and clashes erupted after a television programme appeared to parody the Secretary-General of Hizbollah, Hassan Nasrallah. Youths from the southern suburbs of Beirut blocked the road to the airport with burning tyres and engaged in clashes with youths from the north-eastern suburbs.

5. In this context, the National Dialogue met on 8 June 2006; in the session, Lebanese political leaders agreed on a written code of conduct stipulating that they would refrain from attacking each other, in order to decrease the rising political and sectarian tension. On 29 June, the National Dialogue convened for the last time to date and adjourned, having reached no further agreements.

6. On 12 July, hostilities erupted between Israel and Hizbollah after Hizbollah launched an unprovoked attack across the Blue Line, abducting two Israeli soldiers and killing several others. I have outlined the course of events and effects of the conflict elsewhere in my reports on the implementation of resolution 1701 (2006) (S/2006/670 and S/2006/730), which was adopted on 11 August 2006 and led to a cessation of hostilities that has remained in effect since 14 August.

7. A tense political climate has continued to prevail in Lebanon. In its midst, in a worrying return to last year's climate of frequent assassinations and terrorist acts, a senior Lebanese security official survived an assassination attempt while driving on a road in south Lebanon on 5 September. Four of his aides and bodyguards were killed in the attack and five were wounded.

06-57996 (E) 261006

8. In the early morning hours of 15 October, six Lebanese civilians were hurt when three rockets were launched into a building in downtown Beirut, close to both United Nations headquarters and the Grand Serail which houses the Prime Minister's offices. This disconcerting incident followed two other attacks which had not caused any casualties, with similar rocket launchers and with hand grenades against police stations in Lebanon. In the aftermath of the latest attacks, the Government of Lebanon has expanded the presence of the Internal Security Forces in Beirut by 800 men.

II. Implementation of resolution 1559 (2004)

9. Since the Council adopted resolution 1559 (2004) on 2 September 2004, there has been considerable progress towards its full implementation. In April 2005, the full withdrawal of Syrian troops, military assets and military intelligence apparatus was achieved. Shortly afterwards, free and fair legislative elections were conducted in Lebanon (see S/2005/673). In my last report, I stated that with the agreements reached in the Lebanese National Dialogue, significant further progress towards the full implementation of resolution 1559 (2004) had been made.

10. Additional progress has been made in recent months with the significant and historic deployment of the Lebanese Armed Forces in the south of the country for the first time in three decades. Moreover, Lebanese troops have taken up positions along the eastern part of the Blue Line for the first time ever, and have deployed in significant numbers along Lebanon's border with the Syrian Arab Republic. These steps represent important progress towards the full extension of the Government of Lebanon's control over all Lebanese territory and the fulfilment of the requirements of resolutions 425 (1978) and 1559 (2004) and the Taif Accords.

11. However, resolution 1559 (2004), and in particular its provisions calling for the disbanding and disarmament of all Lebanese and non-Lebanese militias and the strict respect of the sovereignty, territorial integrity, unity, and political independence of Lebanon under the sole and exclusive authority of the Government, has yet to be implemented in full.

A. Withdrawal of foreign forces deployed in Lebanon

12. In my report on the implementation of resolution 1701 (2006) of 12 September 2006 (S/2006/730), I stated that to the best of the ability of the United Nations to ascertain, the only foreign forces currently deployed in Lebanon were those serving under the banner of the United Nations Interim Force in Lebanon (UNIFIL). Israeli troops, who had entered Lebanon in the course of the recent conflict, returned beyond the Blue Line on 1 October 2006, with the exception of their deployment in the divided village of Ghajar. I expect this presence to end shortly in the context of a trilateral discussion on security arrangements for the village.[1]

[1] I have previously reported on the otherwise complete withdrawal of Israeli forces from all Lebanese territory, in full compliance with this aspect of resolution 425 (1978), and on the full withdrawal of all Syrian troops, military assets and the military intelligence apparatus from Lebanon, in full compliance with this aspect of resolution 1559 (2004). The Security Council has endorsed my conclusions in both respects.

B. Sovereignty, territorial integrity, unity and political independence of Lebanon

1. Syrian intelligence apparatus and activity in Lebanon

13. The Government of Lebanon has stated to me that its efforts to consolidate its full control over all security services continue. Allegations have at times been made, including by the Government of Lebanon, that there continues to be Syrian intelligence activity in Lebanon.[2]

2. Establishment of mutual diplomatic representation

14. Subsequent to my last report on the implementation of resolution 1559 (2004), the Security Council adopted its resolution 1680 (2006) of 17 May 2006, which encouraged the delineation of borders between the Syrian Arab Republic and Lebanon and the establishment of full diplomatic relations and representation.

15. I have stated my expectation of the early initiation of a process between Lebanon and the Syrian Arab Republic, based on an agreed action agenda, which will eventually lead to the establishment of full diplomatic relations.[3] I reiterate my expectation in the light of the Council's position, as expressed in resolutions 1680 (2006) and 1701 (2006). Steps towards the establishment of diplomatic relations between the Syrian Arab Republic and Lebanon would significantly contribute to the stability of the region.

3. Delineation of the border

16. In addition to its call contained in resolution 1680 (2006) on the Government of the Syrian Arab Republic to respond positively to the request made by the Government of Lebanon to delineate their common border, the Council again emphasized the importance of the extension of the control of the Government of Lebanon over all Lebanese territory in its resolution 1701 (2006).

17. In the context of the general need for a delineation of the Syrian-Lebanese border, the Government of Lebanon has informed me that Syrian border police maintained sand barriers and positions inside Lebanese territory in several locations during the last six months. The Government of Lebanon further informed me that there were mobile positions, some of which were also manned by Syrian border police on occasion. The apparent uncertainty over the border in the areas concerned highlights, once again, the need for a comprehensive border delineation agreement between Lebanon and the Syrian Arab Republic, in the best interest of both countries.

---

[2] The Syrian Government stated in a letter to me dated 24 April 2006 that it would "like to reaffirm once again that all its troops, military assets and security apparatus withdrew from Lebanon on 26 April 2005" (S/2006/259, annex).

[3] In my report on the implementation of resolution 1701 (2006) of 12 September 2006 (S/2006/730), I noted the assurances given to me by President Assad and reiterated my expectation of the early initiation of a process between the two countries, based on an agreed action agenda, which would eventually lead to the establishment of full diplomatic relations. I must recall in this context the statements made by the representative of the Government of the Syrian Arab Republic in the Security Council after Prime Minister Siniora's address on 21 April 2006 (S/PV.5417) and in the letter addressed to me from the Government of the Syrian Arab Republic of 24 April 2006 (S/2006/259).

18. As regards delineation of the border in the Shab'a Farms area, Prime Minister Siniora enquired in a meeting between us on 21 April 2006 as to possible steps to be undertaken, from the perspective of the United Nations, for the sovereignty of the Shab'a Farms to be transferred from the Syrian Arab Republic to Lebanon. I responded to the Prime Minister in a letter dated 5 June 2006. Prime Minister Siniora and I have discussed the matter further, including when I visited Beirut during my recent mission to the region and in connection with the Government of Lebanon's seven-point plan.

19. In the light of Syrian statements indicating that the Shab'a Farms area is Lebanese and considering the alternative path suggested by the Government of Lebanon in its seven-point plan, I continue to investigate carefully the complicated cartographic, legal and political implications of such an approach and will revert to the Council in due course.[4] In the meantime, I wish to reiterate my urgent call on the Syrian Arab Republic and Lebanon to undertake the necessary steps to delineate their common border, in fulfilment of resolutions 1559 (2004), 1680 (2006) and 1701 (2006). Such steps would significantly contribute to the stability of the region.

4. Israeli violations of Lebanese sovereignty and territorial integrity

20. Subsequent to my last report on the implementation of resolution 1559 (2004) (S/2006/248), persistent and provocative Israeli air incursions, occasionally reaching deep into Lebanese airspace and generating sonic booms over populated areas, continued to be a matter of serious concern (see S/2006/560). The Government of Israel has continued to maintain its claim that such overflights are carried out for security reasons.

21. Israeli overflights have also continued since the cessation of hostilities between Israel and Hizbollah went into effect on 14 August 2006. I expect that such air incursions and violations of Lebanese sovereignty, which stand in contradiction to resolutions 425 (1978) and 1559 (2004) as well as resolution 1701 (2006) itself, will cease fully.

22. The recent hostilities between Israel and Hizbollah saw an extended period of time in which Israel violated Lebanese sovereignty and territorial integrity. With resolution 1701 (2006), a cessation of hostilities has been established, which both parties have by and large abided by, as I have reported in my report on the implementation of resolution 1701 (2006) (S/2006/730).

23. The Government of Lebanon has also informed me of another alleged violation of Lebanese sovereignty by Israel.[5]

---

[4] According to the seven-point plan, the Security Council might place the Shab'a Farms area and the adjacent Kafr Shuba hills temporarily under United Nations jurisdiction until border delineation and Lebanese sovereignty over them are fully settled in accordance with international law.

[5] The Lebanese Government asserted to me that the assassination of an official of the Palestinian Islamic Jihad in Lebanon on 26 May 2006 had been carried out by an intelligence network operating under the instruction of Israel. A press release from the Lebanese delegation, dated 21 June 2006, stated that the Department of Intelligence of the Lebanese Armed Forces had uncovered a terrorist network working for Israel. One of the alleged members of the network, the press release further asserted, had admitted to several assassinations carried out in Lebanon at the behest of Israeli security services, including that of 26 May 2006. The Israeli Government has denied these claims.

C. Extension of Lebanese Government control over all Lebanese territory

24. In my last report on the implementation of resolution 1559 (2004), I noted that a number of serious incidents had emphasized the necessity for the Government of Lebanon, through its regular security and armed forces, to extend its control over all its territory, in order to maintain quiet along the Blue Line. As I stated, the Government of Lebanon, as the sole legitimate authority vested with a monopoly on the use of force throughout its territory, had to do more to exercise its control accordingly.

25. During the hostilities, the Lebanese Government reaffirmed its determination to extend its control over all of Lebanon's territory and to establish its monopoly on the legitimate use of violence. Prime Minister Siniora's seven-point plan envisaged that the Lebanese Government would extend its authority over its territory through its own legitimate armed forces, such that there will be no weapons or authority other than that of the Lebanese State as stipulated in the Taif Accords. The Lebanese Council of Ministers adopted the seven-point plan as the official position of the Government of Lebanon on 27 July 2006. On 7 August 2006, the cabinet again reaffirmed its commitment and decided to send 15,000 Lebanese soldiers to the south simultaneously with the withdrawal of the occupying Israeli forces beyond the Blue Line. The Council of Ministers also confirmed its readiness to accept UNIFIL support, if needed, in order to facilitate the deployment of the Lebanese army troops in the context of the implementation of the seven-point plan.

26. I wish to welcome again the significant and historic step taken by the Government of Lebanon to deploy the Lebanese Armed Forces to the south of the country. In addition to the first deployment of the Lebanese Armed Forces in the south in three decades, Lebanese troops have taken up positions along the eastern part of the Blue Line for the first time ever. As I have previously reported, a significant number of Lebanese troops have also been deployed along the Lebanese border with the Syrian Arab Republic.[6]

27. Since the cessation of hostilities came into effect in Lebanon on 14 August 2006, renewed reports of intercepted arms shipments have been brought to my attention; such shipments would stand in contradiction to the arms embargo imposed by resolution 1701 (2006). I will endeavour to comply with my reporting requirements on the implementation of resolution 1701 (2006), as expressed in paragraph 17 of that resolution, with regard to possible reports of arms shipments. I also call on all Member States, particularly Lebanon's neighbours, to ensure full compliance with the arms embargo imposed by paragraph 15 of resolution 1701 (2006).

[6] As outlined in my last report on the implementation of resolution 1701 (2006) (S/2006/730), I continue to believe that the imposition of an arms embargo, which is fully consistent with the Lebanese cabinet decision of 27 July 2006 that there should be no weapons or authority in Lebanon other than those of the Lebanese State, is a necessary measure given the history of arms traffic bound for Lebanese and non-Lebanese militias. I also emphasized the need for the Syrian Arab Republic, in particular, to help enforce the provisions of paragraphs 14 and 15 of resolution 1701 (2006), given that it shares the sole land border with Lebanon that is generally open to traffic.

D. Disbanding and disarmament of Lebanese and non-Lebanese militias

28. I continue to believe that disarmament must take place through a political process that will lead to the full restoration of the authority of the Government of Lebanon. If the ultimate purpose of disarmament is the establishment of a strong Lebanese State for all inhabitants of Lebanon, as the Taif Accords stipulated, then the disarming and disbanding of all remaining militias must be realized in such a way that it strengthens, rather than weakens, the central authorities. It is a definitional requirement of the state to enjoy a monopoly on the legitimate use of force throughout its territory. In that context, it is important that all neighbouring States abide by the arms embargo, as called for in resolution 1701 (2006).

1. Palestinian militias

29. The National Dialogue's decision to disarm Palestinian militias outside the camps has not been implemented within the six-month deadline, which ended on 26 August 2006. The National Dialogue, in its session on 16 May 2006, had decided to establish a committee tasked with following up on the implementation of its agreement.

30. I expect that the Government of Lebanon, pursuant to its decision of 27 July 2006, according to which there should be no weapons or authority other than that of the Lebanese State as stipulated in the Taif Accords, will further define a political process and a clear timeline for the full disarmament of Palestinian militias in Lebanon. I call for the issue to be settled as early as possible. I also call on all donors to support the efforts of the Government of Lebanon and of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

31. There have been a number of incidents underlining the importance of the eventual full disarmament of Palestinian militias in Lebanon over the past six months. On 17 May 2006, the Lebanese Armed Forces and the Palestinian militia Fatah-Intifada, which is headquartered in Damascus and maintains a number of bases on Lebanese territory, engaged in clashes after an army patrol approached a newly established Fatah-Intifada position in eastern Lebanon and came under fire. A Lebanese Armed Forces soldier and a Palestinian militant later died from wounds sustained in the subsequent exchanges of fire; another Lebanese soldier was detained for several hours before he was released. The Lebanese Armed Forces eventually took over the base; the Palestinian militants implicated in the incident were later arrested.

32. On 26 May 2006, a leader of the Palestinian Islamic Jihad was assassinated together with his brother in southern Lebanon by a car bomb. A major escalation occurred two days later along the Blue Line, when at least eight rockets were launched across the Blue Line into Israel (see S/2006/560). The Palestinian Islamic Jihad initially claimed responsibility, but later retracted its assertion. Israel retaliated with air strikes against Lebanese bases of the Damascus-based Popular Front for the Liberation of Palestine-General Command (PFLP-GC); a subsequent major exchange across the Blue Line also involved Hizbollah and escalated into the firing of rockets and missiles across the Blue Line by Hizbollah and the Israel Defense Forces. Later the same day, the Lebanese Armed Forces sent equipment to clear rubble at a PFLP-GC base but were denied entry to the base. Also the same day, PFLP-GC leader Ahmad Jibril said in an interview with a Lebanese newspaper

that his group coordinated all of their military action with Hizbollah, also stating his opposition to the disarmament of Palestinian militias in Lebanon.

33. Despite these incidents, I took positive note of the reopening of the representative office of the Palestine Liberation Organization (PLO) in Lebanon on 15 May 2006. I have continued my dialogue on the issue of the Palestinian militias in Lebanon with the Chairman of PLO, Mahmoud Abbas, who has assured me of his full support for the restoration of the Lebanese Government's monopoly on the use of force throughout its territory.

2. Hizbollah

34. With regard to the armed component of Hizbollah, I wish to recall once again Prime Minister Siniora's address to the Council of 21 April 2006 (S/PV.5417) and the consensual decision of the Lebanese in the Taif Accords.[7] The National Dialogue extensively discussed the issue of Hizbollah's arms earlier this year, but did not reach agreement. Hizbollah continued to limit the authority of the Government of Lebanon, especially in areas close to the Blue Line.

35. The eventual disarmament of Hizbollah in the sense of the completion of its transformation into a solely political party, consistent with the requirements of the Taif Accords, is a key element in ensuring a permanent end to the hostilities and a critical provision to be realized in the implementation of resolution 1701 (2006) and in the full restoration of Lebanon's sovereignty, territorial integrity and political independence. A number of specific measures to further this purpose are enumerated in resolution 1701 (2006) and are in the process of being implemented, in particular the establishment between the Blue Line and the Litani River of an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and of UNIFIL, which would constitute an important step towards the disarming of all militias in Lebanon.

36. I expect that the Government of Lebanon, pursuant to its decision of 27 July 2006, according to which there should be no weapons or authority other than that of the Lebanese State as stipulated in the Taif Accords," will further define a political process and a clear timeline for the full disarmament of Hizbollah in the sense of the completion of its transformation into a solely political party. I call for the disarmament of all Lebanese and non-Lebanese militias to be settled as early as possible.

37. I note that Hizbollah, through its representatives in the Lebanese Council of Ministers, agreed to the cabinet decision of 27 July 2006.[8] At the same time, I have

[7] Prime Minister Siniora repeated in his address that "the future role of Hizbollah's weapons in defending Lebanon is a matter of national debate. That debate will be carried out in the context of a strategy agreed upon by all Lebanese concerning how best to defend Lebanon, against the backdrop of the provisions of the Taif Accords of 1989, United Nations resolutions regarding Lebanon and the continued occupation of the Shab'a Farms, as well as the long history of incursions and violations of Lebanese territory by Israel. Reconciling those considerations with the natural obligation of the State to be the sole provider of security to all its citizens and residents, and the right of the State to have a monopoly over arms and to exercise its full authority throughout the country, is a major challenge to be addressed in the period ahead."

[8] I have also taken note of the statements by Hizbollah Secretary-General Hassan Nasrallah in his address to a major rally in southern Beirut on 22 September 2006 that "we are not saying that our weapons will remain forever. It is not logical for these weapons to remain forever. There is bound to be an end to them"

taken note of further statements by Hizbollah representatives that stand in contradiction to Security Council resolution 1559 (2004).

38. In this context, I note again that a dialogue with parties other than the Lebanese authorities is indispensable in order to realize the implementation of the mandate contained in resolution 1559 (2004) to disarm and disband all Lebanese and non-Lebanese militias. I expect to continue my dialogue with such parties, in particular with the Governments of the Syrian Arab Republic and the Islamic Republic of Iran, which maintain close relations with Hizbollah.

39. Against this background, I wish to reiterate my call on all parties with the ability to influence Hizbollah to support its transformation into a solely political party, consistent with the requirements of the Taif Accords, as a means to achieve the full disarmament of all Lebanese and non-Lebanese militias. I also reiterate my call to all Member States, particularly Lebanon's neighbours, to ensure compliance with the arms embargo imposed by paragraph 15 of resolution 1701 (2006), which is a measure facilitating the full implementation of the relevant provisions of the Taif Accords and of resolutions 1559 (2004) and 1680 (2006), which require the disarmament of militias in Lebanon.

E. Presidential election process

40. The issue of the Lebanese presidency was discussed in several rounds of the National Dialogue until the participants in the National Dialogue "agreed to disagree" on the subject in their seventh round of consultations. In this context, I also recall Prime Minister Siniora's address to the Security Council on 21 April 2006.[9]

III. Observations

41. Over the past two years, there has been considerable progress towards the full implementation of resolution 1559 (2004). The Syrian Arab Republic has withdrawn its troops, military assets and military intelligence apparatus. Free and fair legislative elections have been conducted. The Lebanese National Dialogue manifested further progress. In the past few months, there has been additional progress with the extension of the Government's control over Lebanese territory, in particular in the south and along the border with the Syrian Arab Republic. However, resolution 1559 (2004), and in particular its provisions calling for the disbanding and disarmament of all Lebanese and non-Lebanese militias and the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government, has yet to be implemented in full.

42. In the past six months, Lebanon has suffered a severe setback. Instead of making further strides towards completing its political transformation and reaping the economic rewards of political progress, Lebanon confronts challenges of a magnitude unseen since the end of the civil war. Moreover, since the end of the

[9] Prime Minister Siniora stated that "the majority in parliament considers the extension of President Lahoud's term in September 2004 for three more years to have been the result of interference and coercion by Syria — which had great influence over the Lebanese parliament at that time — against all of the advice discouraging such heavy-handed interference" (S/PV.5417).

hostilities, a tense political climate has prevailed, with manifold challenges confronting the Lebanese in their quest to reconstruct their country, their polity and their economy.

43. The United Nations remains committed to supporting Lebanon, its Government and its people as they face the enormous task of recovering the momentum on the path to consolidating the Lebanese State as an authority of the people, by the people, for the people.

44. I would like to express my thanks to all countries that have already provided assistance to the Lebanese, be it in the form of troop contributions to UNIFIL, bilateral technical aid, or through financial support. Such assistance will continue to be needed as the Lebanese once again embrace their fate of economic and political reconstruction. I also emphasize that all such assistance should be lent in ways that contribute to the consolidation of the Government's monopoly on the use of force throughout its territory.

45. In the months ahead, much remains to be done. With the adoption of resolutions 1680 (2006) and 1701 (2006) and with repeated Lebanese cabinet decisions to extend the Government's authority over all Lebanese territory, a new framework has been established for the full implementation of all provisions of resolution 1559 (2004). A catalogue of measures has been laid down that constitute a road map for the full implementation of resolution 1559 (2004). The Government of Lebanon, with significant international support, is undertaking important steps that will help it to fully implement resolution 1559 (2004). Achieving this goal, however, continues to depend on both the Lebanese and on the cooperation of parties other than the Lebanese.

46. In the months ahead, Lebanon will have to engage again in a truly national and inclusive dialogue. The disarming and disbanding of Lebanese and non-Lebanese militias, which lies at the heart of the political transformation Lebanon has been undergoing and is a necessary element to complete, at long last, Lebanon's consolidation as a sovereign and democratic State, can only be achieved through an inclusive process that addresses the political and economic interests of all Lebanese and of those living in Lebanon.

47. It is my deep hope that the opportunities born from conflict will be seized upon and that Lebanon may once again rise from the ashes of destruction and war. I emphasize once again in this context that Hizbollah's transformation into a solely political party, consistent with the requirements of the Taif Accords, is a key element in ensuring a permanent end to hostilities and in the full restoration of Lebanon's sovereignty, territorial integrity and political independence.

48. For the purpose of achieving this goal, on the path towards the greater objective of consolidating the Lebanese State, it is indispensable that all parties who have influence in Lebanon support a constructive political process. I note in this context that the cooperation of outside parties is explicitly called for in resolutions 1559 (2004), 1680 (2006) and 1701 (2006), and I join these calls.

49. The establishment of full diplomatic relations between Lebanon and the Syrian Arab Republic and their delineation of the shared border, including, in particular, in the Shab'a Farms area, through a bilateral agreement would constitute significant steps towards promoting peace and security in the region. Mindful of the importance of border delineation to the Lebanese, I am expeditiously working to establish in

full the cartographic, legal and political implications of the approach suggested in Lebanon's seven-point plan and will revert to the Council. I also wish to call for the Syrian Arab Republic and Lebanon to address in their bilateral contacts the issue of Lebanese detainees in Syrian custody.

50. I reiterate my call on all parties and actors to support Lebanon's reconstruction and political transformation and to urgently take all enabling measures to this end, as outlined in the Taif Accords and in resolutions 1559 (2004), 1680 (2006) and 1701 (2006).

51. I will continue my efforts for the purpose of the full implementation of these and all other relevant Security Council resolutions pertaining to the restoration of the territorial integrity, full sovereignty and political independence of Lebanon and the achievement of a just, lasting and comprehensive peace throughout the entire Middle Eastern region, consistent with all relevant Security Council resolutions.